

## AMENDMENTS TO THE CLAIMS

This listing of claims will replace the claims as filed in PCT Application No. PCT/CA2004/000406 in respect of National Phase Entry in the United States under 35 U.S.C. 371 thereof.

### Listing of Claims:

1. A crystalline form of azithromycin • (H<sub>2</sub>O)<sub>x</sub> • [isopropanol]<sub>y</sub> wherein x and y are selected from
  - (i) x = 0.75 and y = 0.5, and
  - (ii) x = 1.5 and y = 0.25.
2. Crystalline Azithromycin Isopropanolate of claim 1 wherein x = 1.5 and y = 0.25.
3. Crystalline Azithromycin Isopropanolate of claim 1 wherein x = .75 and y = 0.5.
4. The crystalline form of Azithromycin • (H<sub>2</sub>O)<sub>x</sub> • [isopropanol]<sub>y</sub> having the single crystal structure of Figure 1(a) wherein x = 0.75 and y = 0.5.
5. The crystalline form of Azithromycin • (H<sub>2</sub>O)<sub>x</sub> • [isopropanol]<sub>y</sub> having the single crystal structure of Figure 1(b) wherein x = 1.5 and y = 0.25.
6. A process for the preparation of the azithromycin • (H<sub>2</sub>O)<sub>x</sub> • [isopropanol]<sub>y</sub> wherein x and y are selected from
  - (i) x = 0.75 and y = 0.5, and
  - (ii) x = 1.5 and y = 0.25

which process comprises the following steps:

- (a) dissolving solid azithromycin in an acetic acid solution and extracting the solution with ethyl acetate;
- (b) basifying the aqueous solution from step (a) with a sodium hydroxide solution;
- (c) extracting the basic solution from step (b) with ethyl acetate;
- (d) drying the ethyl acetate solution from step (c) with sodium sulfate, filtering the drying agent and evaporating the filtrate under vacuo to give non-crystalline azithromycin as a syrup;
- (e) co-evaporating the material from step (d) with isopropanol three times to give a syrup;
- (f) mixing the material from step (e) with isopropanol;
- (g) adding water to the material from step (f);
- (h) filtering the insoluble material from step (g) and drying under vacuo;
- (i) dissolving the material from step (h) in isopropanol and adding water in the ratio of either:
  - (ia) isopropanol to water in the order of  $(1 - 2) : 1$  where  $x = 1.5$  and  $y = 0.25$ , or
  - (ib) in the ratio of isopropanol to water in the order of  $4 : 1$  where  $x = 0.75$  and  $y = 0.5$ ;
- (j) filtering the insoluble material from step (i).

7. A process for the preparation of the azithromycin • (H<sub>2</sub>O)<sub>x</sub> • [isopropanol]<sub>y</sub> of claim 2 wherein x = 1.5 and y = 0.25 which comprises the following steps:

(a) dissolving solid azithromycin in an acetic acid solution and extracting the solution with ethyl acetate;

(b) basifying the aqueous solution from step (a) with a sodium hydroxide solution;

(c) extracting the basic solution from step (b) with ethyl acetate;

(d) drying the ethyl acetate solution from step (c) with sodium sulfate, filtering the drying agent and evaporating the filtrate under vacuo to give non-crystalline azithromycin as a syrup;

(e) co-evaporating the material from step (d) with isopropanol three times to give a syrup;

(f) mixing the material from step (e) with isopropanol;

(g) adding water to the material from step (f);

(h) filtering the insoluble material from step (g) and drying under vacuo;

(i) dissolving the material from step (h) in isopropanol and adding water wherein the ratio of isopropanol to water is in the order of (1 – 2) : 1;

(j) filtering the insoluble material from step (i).

8. A process for the preparation of the azithromycin • (H<sub>2</sub>O)<sub>x</sub> • [isopropanol]<sub>y</sub> of claim 3 wherein x = 0.75 and y = 0.5 which comprises the following steps:

(a) dissolving solid azithromycin in an acetic acid solution and extracting the solution with ethyl acetate;

(b) basifying the aqueous solution from step (a) with a sodium hydroxide solution;

(c) extracting the basic solution from step (b) with ethyl acetate;

(d) drying the ethyl acetate solution from step (c) with sodium sulfate, filtering the drying agent and evaporating the filtrate under vacuo to give non-crystalline azithromycin as a syrup;

(e) co-evaporating the material from step (d) with isopropanol three times to give a syrup;

(f) mixing the material from step (e) with isopropanol;

(g) adding water to the material from step (f);

(h) filtering the insoluble material from step (g) and drying under vacuo;

(i) dissolving the material from step (h) in isopropanol and adding water wherein the ratio of isopropanol to water is in the order of 4 : 1;

(j) filtering the insoluble material from step (i).

9. A process for the preparation of the azithromycin • (H<sub>2</sub>O)<sub>x</sub> • [isopropanol]<sub>y</sub> of claim 4 wherein x = 0.75 and y = 0.5 which comprises the following steps:

(a) dissolving solid azithromycin in an acetic acid solution and extracting the solution with ethyl acetate;

- (b) basifying the aqueous solution from step (a) with a sodium hydroxide solution;
- (c) extracting the basic solution from step (b) with ethyl acetate;
- (d) drying the ethyl acetate solution from step (c) with sodium sulfate, filtering the drying agent and evaporating the filtrate under vacuo to give non-crystalline azithromycin as a syrup;
- (e) co-evaporating the material from step (d) with isopropanol three times to give a syrup;
- (f) mixing the material from step (e) with isopropanol;
- (g) adding water to the material from step (f);
- (h) filtering the insoluble material from step (g) and drying under vacuo;
- (i) dissolving the material from step (h) in isopropanol and adding water wherein the ratio of isopropanol to water is in the order of 4 : 1;
- (j) filtering the insoluble material from step (i).

10. A process for the preparation of the azithromycin • (H<sub>2</sub>O)<sub>x</sub> • [isopropanol]<sub>y</sub> of claim 5 wherein x = 1.5 and y = 0.25 which comprises the following steps:

- (a) dissolving solid azithromycin in an acetic acid solution and extracting the solution with ethyl acetate;
- (b) basifying the aqueous solution from step (a) with a sodium hydroxide solution;
- (c) extracting the basic solution from step (b) with ethyl acetate;

- (d) drying the ethyl acetate solution from step (c) with sodium sulfate, filtering the drying agent and evaporating the filtrate under vacuo to give non-crystalline azithromycin as a syrup;
  - (e) co-evaporating the material from step (d) with isopropanol three times to give a syrup;
  - (f) mixing the material from step (e) with isopropanol;
  - (g) adding water to the material from step (f);
  - (h) filtering the insoluble material from step (g) and drying under vacuo;
  - (i) dissolving the material from step (h) in isopropanol and adding water wherein the ratio of isopropanol to water is in the order of (1 – 2) : 1;
  - (j) filtering the insoluble material from step (i).
11. A crystalline form of azithromycin • (H<sub>2</sub>O)<sub>x</sub> • [isopropanol]<sub>y</sub> wherein x = 0.75 and y = 0.5 made by the process of claim 6, 8 or 9.
12. A crystalline form of azithromycin • (H<sub>2</sub>O)<sub>x</sub> • [isopropanol]<sub>y</sub> wherein x = 1.5 and y = 0.25 made by the process of claim 6, 7 or 10.
13. A crystalline form of azithromycin • (H<sub>2</sub>O)<sub>0.75</sub> • [isopropanol]<sub>0.5</sub> having the single crystal structure of Figure 1(a) made by the process of claim 9.
14. A crystalline form of azithromycin • (H<sub>2</sub>O)<sub>0.75</sub> • [isopropanol]<sub>0.5</sub> having the single crystal structure of Figure 1(b) made by the process of claim 10.
15. A crystalline form of azithromycin • (H<sub>2</sub>O)<sub>0.75</sub> • [isopropanol]<sub>0.5</sub> having the single crystal structure of Figure 1(a).

16. A crystalline form of azithromycin • (H<sub>2</sub>O)<sub>0.75</sub> • [isopropanol]<sub>0.5</sub> having the single crystal structure of Figure 1(b).